

June 30, 1966

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Edward J. Logue, Development Administrator
SUBJECT: ZONING REFERRALS

I. ZONING COMMISSION

Re: Map Amendment Application No. 31
P & J Realty Trust
35 Glencoe Street, Brighton

Petitioner seeks to build a 35 unit apartment building on a 40,000 sq. ft. tract of land now vacant except for a greenhouse at the corner of Glencoe and Saybrook Streets in Brighton. This would require a change in zone from R-.5 (General Residence) to H-1 (Apartments), with the new H-1 zone extending from the rear of North Beacon Street, which frontage is zoned for L-1 (business), along the westerly side of Glencoe Street to a distance of 100 feet north of Gardner Street. Builder has recently built a modern apartment house on the opposite side of Glencoe Street. Proposed development would appear to be an asset to the area and H-1 zone might well be considered as a transition zone between the business and industrial activities at the corner of North Beacon and Market Streets and the general residence area to the rear. Recommend approval.

VOTED: That in connection with Map Amendment Application No. 31 brought by P & J Realty Trust to change an area in Brighton, on the northwesterly side of Glencoe Street running northeasterly from a line 100 feet northeast of Gardner Street to the business zone fronting on North Beacon Street, from an R-.5 (General Residence) zone to an H-1 (Apartment) zone, the Boston Redevelopment Authority recommends approval because of the following reasons:

- 1) the area involved may well be considered a transition zone between the business and industrial activities fronting on Market and North Beacon Streets and the general residence use southeast of Glencoe Street;
- 2) this particular parcel of land of nearly an acre in extent, has been available for development for several years and there has been no demand for its use for two-family dwellings;
- 3) the area is very desirable for apartment use since it is near the junction of two main thoroughfares and is close by several large industrial plants;
- 4) due allowance should be made for existing conditions and the direction of building development to the best advantage of the entire community.

Zoning Referrals 6/30/66

2.

Re: Map Amendment Application No. 32
Boston Redevelopment Authority
Washington Park Urban Renewal Project

Authority seeks to make four changes on the zoning map within the Washington Park Project to enable the carrying out of the renewal plan. The frontage area on Washington Street between Dale Street and a line just north of Circuit Street is to be changed from local business to apartment use. An area in the vicinity of Falworthy and Harold Streets is also to be changed from local business to apartment house use. An extension of the general business zone at the corner of Warren Street and Georgia Street to Crawford Street is requested. And, an area on Columbus Avenue easterly of the MBTA terminal at Egleston Sq. is to be changed so as to allow an increase in density to an H-2, apartment zone.

VOTED: That in connection with Map Amendment Application No. 32 by the Boston Redevelopment Authority seeking four changes in the Roxbury Zoning Map, all within the Washington Park Urban Renewal Project Area, the Authority requests that the changes be made in order that the approved plan may conform with the zoning.

Re: Special Order Application No. 6
Recreation Building at
150 Washington Street, Roxbury
Washington Park Project
by William Devine, Commissioner

This application of Park Commissioner filed in accordance with St. 1956, C. 665, S. 2, requests a special order of the Zoning Commission to use a former school building annex to the Ellis School, for a recreation building which will be adjacent to the Walnut Avenue-Crawford Street playground in the Washington Park Urban Renewal Area. It is in a general residence district and contains 40,439 square feet of land.

VOTED: That in connection with Special Order Application No. 6 brought by the Commissioner of the Parks and Recreation Department requesting allowance for the use of a former school building for a recreation use in the Washington Park Urban Renewal Project Area, the Boston Redevelopment Authority recommends approval since the location is merely an extension of an existing playground facility and is an accepted part of the approved Urban Renewal Plan.

6/30/66

3.

BOARD OF APPEAL REFERRALS

Re: Petition No. Z-525
Rocco E. Paoletta
34 Commonwealth Ave., Boston

A variance for off-street parking facilities not provided is sought to change occupancy from one-family dwelling to ten apartments in an apartment (H-5) district. Nine apartments would consist of one room efficiencies and the other, a three room suite. Four off-street parking spaces are required and two provided. The Back Bay project staff and the transportation-engineering department recommend disapproval on this point.

Optional case

VOTED: That in connection with Petition No. Z-525 brought by Rocco E. Paoletti, 34 Commonwealth Avenue, Boston, for a variance of off-street parking facilities not supplied to change occupancy from one-family to ten apartments in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the variance because the area is heavily congested day and evening and any increased parking deficiencies will seriously affect pedestrian and vehicular traffic.

Re: Petition No. Z-526
Boston Redevelopment Authority
1-67 Lowell Street &
52-132 Staniford St., Boston

Automobile parking for a fee with the necessary signs, which is a forbidden use, is sought in an apartment (H-3) district. The use would expire on March 1, 1968. The development of the land is scheduled over a number of years and the use would temporarily provide relief in this congested area.

VOTED: That in connection with Petition No. Z-526 brought by the Boston Redevelopment Authority, 1-67 Lowell Street and 52-132 Staniford Street, Boston, seeking a variance to allow parking of automobiles for a fee with necessary signs in an apartment district, the Boston Redevelopment Authority requests the variance be granted because a condition exists especially affecting the parcel in that development of the land is scheduled over a number of years and a temporary or interim parking use would relieve the hardship of not otherwise being able to put the land

to use during the interim period. The zoning district would not be generally affected as the parcel is more or less isolated or adjacent to areas permitting parking and the variance would only be temporary. Further, there is a public need for parking to relieve congestion in the local street area and while such relief would only be temporary, it would be for the public good.

Re: Petition Nos. Z-527 & Z-528
Betty Gibson
544 & 546 Massachusetts Ave., Boston

An insufficient off-street parking variance is sought in an apartment (H-2) district. A permit was obtained on June 1, to change the occupancy of each building from lodging house to six apartments, removing the rear ells. The appellant now wants to retain the ells with the resulting deficiency in off-street parking. The South End staff and Transportation-Engineering Department object because of this parking deficiency. Therefore, disapproval is recommended.

Optional case

VOTED: That in connection with Petition Nos. Z-527 & Z-528 brought by Betty Gibson, 544 & 546 Massachusetts Avenue, Boston, to retain rear ells of building in an apartment district, the Boston Redevelopment Authority objects to the granting of the variances. The retention of the ells will eliminate much needed off-street parking and the use does not meet with the requirements of the approved South End Urban Renewal Plan.

Re: Petition No. Z-529
Samuel Berger & John J. Degan, III &
Superior Realty Co., Inc.
272 Columbia Rd., Dorchester

A conditional use permit for parking lot and a variance of front yard less than required are sought to change occupancy from garage to supermarket. The garage is located in a local business (L-1) district and the parking lot accessory in an apartment (H-1) district. The Roxbury-North Dorchester GMRP staff and Transportation-Engineering Department have no objection. It is felt the proposed use will be much more beneficial and acceptable to the area than the garage and approval is recommended.

VOTED: That in connection with Petition No. Z-529 brought by Samuel Berger and John J. Degan, III and Superior Realty Co., Inc., 272 Columbia Road, Dorchester, for a conditional use permit for accessory parking lot in an apartment district and variance of front yard less than required to change occupancy from garage to supermarket in a local business district, the Boston Redevelopment Authority does not object to the granting of the variances. The new use would be an asset to the area, more beneficial than the former and sufficient off-street parking will be provided to accommodate the traffic.

Re: Petitions Nos. Z-531, Z-532-Z-533
Cheryl Ann Realty Trust
4, 5, 8 Crest St., West Roxbury

Dimensional variances of lot size, front and rear yards insufficient, are sought to erect three one-story frame, one family dwellings in a single family (S-.3) district. Physical inspection reveals one foundation erected and two holes dug without permit. Records available in city departments, indicate these lots are contiguous and in a single ownership. The zoning code does not allow the creation of substandard lots; none of these lots meet the minimum size requirement of 9000 square feet. The area is surrounded by fine homes with generous open space and the intrusion of sub-standard lots should not be allowed in the area. Recommend denial.

Optional case

VOTED: That in connection with Petitions Nos. Z-531, Z-532, Z-533, brought by Cheryl Ann Realty Trust, 4, 5, 8 Crest Street, West Roxbury, for variances to erect three one-family dwellings and garages in a single family (S-.3) district, the Boston Redevelopment Authority is opposed to the granting of the variances. In the first place, it appears that this subdivision into sub-standard lots took place after the code became effective and in the second place, attention is brought to Section 14-6 of the zoning code which states that the Board of Appeal shall not grant permission for construction of a single family dwelling on any lot not meeting three-fourths ($3/4$) of the minimum lot size (9000 sq. ft.). Two of these lots fail to meet this requirement. The neighborhood is one of fine homes with generous open space and the intrusion of sub-standard lots should not be allowed.

6/30/66

6.

Re: Petition No. Z-535
Nata Realty Corporation
119 Charles Street, Boston

Six variances are sought to change occupancy from one store and four apartments to two stores and three apartments in a local business (L-2) district. The variances are dimensional (yards, etc.) and apply to an existing building. What actually is being asked is validation of a change in occupancy. The two stores are existing - a laundromat in the basement and an antique shop on the first floor and are allowable in the present L-2 zone. The Transportation-Engineering Department has no objection and approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-535 brought by Nata Realty Corp., 119 Charles Street, Boston, for six variances to change occupancy from one store and four apartments to two stores and three apartments in a local business district, the Boston Redevelopment Authority has no objection to the granting of the variances as the two stores are existing and are compatible with the general character of the neighborhood.

Re: Petition No. Z-536
Barnet Samuels et al
421 Marlborough Street, Boston

Variances of insufficient usable open space, front yard, rear yard, setback, off-street parking and floor area ratio exceeded, are sought to change occupancy from ten apartments and launderette to ten apartments and restaurant in a local business (L-2) district. These violations are dimensional and refer to an existing pre-code building. The proposed use, an ice cream parlor and sandwich shop, will be of a pedestrian transient nature. The Transportation-Engineering Department states: "Although there exists a shortage of parking facilities already, the change of use will not in itself aggravate the situation. Recommend approval.

Optional case

VOTED: That in connection with Petition No. Z-536 brought by Barnett Samuels et al, 421 Marlborough Street, Boston, for six variances to change occupancy by allowing a restaurant in place of a launderette, in a local business district, the Boston Redevelopment Authority does not object to the granting of the variances because these violations apply to an existing pre-code building. Als , the proposed use, being of a pedestrian transient nature, in itself will not aggravate the traffic situation.

Petition Nos. Z-537 - Z-542
Milton Realty Trust
157-159-161-163-165-167 Delhi St., Dor.

Forbidden use and off-street parking variances are sought to change occupancy of six two-family dwellings to three families in a light manufacturing (M-1) district. It appears from an inspection, the buildings were originally designed for two-families. The appellant proposes to locate the third apartment in the basement abutting the boiler room. There are, at the present time, several single family homes and an apartment building on the same side of Delhi Street in the adjoining area. This area originally zoned for industrial use has had no manufacturing activity other than a storage structure and a plumbing concern. Because of the residential character of the neighborhood, a petition for a change in zone to residential would be more appropriate and would better protect the existing uses. The Authority reported in the negative on this same case in April 1965. Recommend disapproval.

Optional case

VOTED: That in connection with Petition Nos. Z-537-Z-542 brought by Milton Realty Trust, 157-159-161-163-165-167 Delhi Street, Dorchester, for forbidden use and off-street parking variances to change occupancy of six two-family dwellings to three family dwellings in a light manufacturing district, the Boston Redevelopment Authority opposes the granting of the variances. Upon physical inspection, it appears the buildings were originally designed for two families. It is proposed to locate the additional apartments in the basement abutting a boiler room. The area, originally zoned for industrial use, has had no manufacturing activity other than a storage structure and a plumbing concern. Because of the neighborhood's character, a petition for a change in zone to low density residential would be more appropriate and would better protect the existing uses and would conform with parking requirements.

Re: Petition No. Z-543
Leon R. Kaplan
153 Hemenway Street, Boston

A conditional use permit, four dimensional variances and off-street parking insufficient, are sought to change occupancy from 29 apartments to dormitory and one apartment in an apartment (H-3) zone. The area is largely student occupied and dormitory oriented. The locus has been leased to Northeastern University for use as a dormitory. The dimensional violations have existed as this is a pre-code building. The appellant states it is a strict rule of the dormitory that no student occupant be permitted to have a motor vehicle. The Fenway Project staff has no objection provided the no vehicle rule be made a condition of the granting of the variances and approval is recommended with this condition.

VOTED: That in connection with Petition No. Z-543 brought by Leon R. Kaplan, 153 Hemenway Street, Boston, to change occupancy from 29 apartments to dormitory and one apartment in an apartment district, the Boston Redevelopment Authority does not oppose the granting of the variances provided the rule that no student occupant be permitted a motor vehicle is enforced. The area is dormitory oriented and largely student occupied.

Re: Petition No. Z-544
Alexander R. Ferzoco
1454 River St., Hyde Park

Three variances, excessive floor area ratio, front yard less than required and off-street parking less than required, are sought to erect a two-story stores and medical offices building in a local business (L-.5) district. The floor area ratio is exceeded by more than 50%. The appellant is providing only two of thirteen required off-street parking spaces at this acute and hazardous intersection of River Street and Reservation Road. These types of variances should not be tolerated with new construction. Recommend the variances be denied.

Optional case

VOTED: That in connection with Petition No. Z-544 brought by Alexander R. Ferzoco, 1454 River Street, Hyde Park, for three variances to erect a two-story stores and medical office building in a local business district, the Boston Redevelopment Authority is opposed to the granting of the variances. Only two of thirteen required off-street parking spaces are provided at this acute and hazardous intersection of River Street and Reservation Road. It is felt that these variances should not be allowed where new construction is involved.

Current Zoning Referrals

Re: Petition No. Z-545
 Lyndon W. Burch
 73 River St., Boston

Variances for maximum floor area ratio exceeded and insufficient setback of parapet which already exist to add penthouse to existing one family dwelling in a local business (L-2) district. The penthouse would be used as a sundeck. There is no land available as the locus is surrounded by three other buildings. The use will not adversely affect the abutters and there will be no increase in density, since this is a one family dwelling. Action also has to be taken for building code violations and also by Beacon Hill Architectural Commission. Recommend no objection.

Optional case.

VOTED: that in connection with Petition No. Z-545, brought by Lyndon W. Burch, 73 River St., Boston, for variances of excessive floor area ratio and insufficient setback of parapet to add to existing one family dwelling in a local business district, the Boston Redevelopment Authority has no objection since there will be no increase of intensity of use.

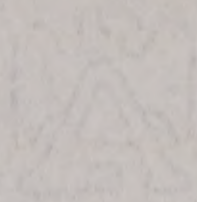
Re: Petition No. Z-546
 Andrew Dazzi
 665 West Roxbury Parkway, West Roxbury

A variance of insufficient rear yard is sought to erect a one story frame addition to a one family dwelling in a single family (S-.5) district. The extension will be used as a kitchen and breakfast room. A forty foot rear yard is required and thirty-five feet is provided. The lots in the rear are unusually deep. Recommend approval.

Optional case.

VOTED: That in connection with Petition No. Z-546, brought by Andrew Dazzi, 665 West Roxbury Parkway, West Roxbury, for a variance of insufficient rear yard to erect a one story addition in a single family district, the Boston Redevelopment Authority recommends the granting of the variance. The yard deficiency is minimal, there are no accessory buildings such as a garage in the rear yard and the abutting lots in the rear are unusually deep.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED



OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW YORK
ALBANY, N.Y.
JANUARY 1, 1964

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED